

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
	)	
v.	)	CRIMINAL ACTION
	)	NO. 05-40035-FDS
RICHARD BOTCHWAY,	)	
Defendant,	)	
_____	)	

STATUS REPORT  
October 17, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Mr. Botchway intends to subpoena certain records from the Massachusetts State Police and intends to file a Motion For Discovery of materials not produced by the Government. If the Massachusetts State Police does not honor Mr. Botchway's subpoena, Mr. Botchway then intends to file a Motion To Compel. Therefore, those motions shall be filed by December 2, 2005 and the Government shall file its opposition to those motions by December 22, 2005.

2. Further Status Conference

A further status conference and hearing on Mr. Botchway's motions in this case shall be held on January 4, 2006, at 2:30

p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, United States Courthouse, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

At the request of the Government and without opposition from Mr. Botchway's counsel, I am excluding from the Speedy Trial Act, the period from October 17, 2005 (date of expiration of prior order of excludable time) through January 4, 2006 (date by which a hearing shall be held in connection with Mr. Botchway's discovery motions). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Wednesday, March 15, 2006.

/s/Charles B. Swartwood, III  
CHARLES B. SWARTWOOD, III  
CHIEF MAGISTRATE JUDGE